

Attorney Docket No. NEOME-019A1US

**DECLARATION OF INVENTORSHIP and  
LIMITED POWER OF ATTORNEY**

As a below named inventor, I believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled "Devices and Methods Useable for Treatment of Glaucoma and Other Surgical Procedures" which is described and claimed in Application No. 10/560,266 (PCT/US04/18483) for which a patent is sought. My residence, post office address and citizenship are as stated below next to my name.

I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to herein.

I acknowledge my duty under Title 37, Code of Federal Regulations § 1.56(a) to disclose information which is material to the patentability of the invention I am claiming.

☒ I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: U.S. Provisional Patent Application No. 60/477,258 filed on June 10, 2003.

As a named inventor and until I assign my rights to the invention, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith on my behalf: **Frank J. Uxa**, Reg. No. 25,612; **Donald E. Stout**, Reg. No. 34,493; **Robert D. Buyan**, Reg. No. 32,460; **Kenton R. Mullins**, Reg. No. 36,331; and **Linda Allyson Fox**, Reg. No. 38,883, all of the firm **STOUT, UXA, BUYAN & MULLINS, LLP**. Send correspondence and direct telephone calls to: **Robert D. Buyan**, Stout, Uxa, Buyan & Mullins, LLP, 4 Venture, Suite 300, Irvine, CA 92618; telephone (949) 450-1750, facsimile (949) 450-1764, email: [rbuyan@patlawyers.com](mailto:rbuyan@patlawyers.com).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application and any patent issuing thereon.

Attorney Docket No. NEOME-019A1US

Michael Mittelstein, of, Laguna Niguel, California, a citizen of Germany. Post office address: 29412 Clipper Way, Laguna Niguel, California 92677.

Signature: Michael Mittelstein Date: 05/09/06  
Michael Mittelstein

John T. Sorensen, of, Lake Elsinore, California, a citizen of the U.S.A. Post office address: 35 Volta del Tintori St., Lake Elsinore, California 92532.

Signature: John T. Sorensen Date: MAY 8, 2006  
John T. Sorensen

Soheila Mirhashemi, of, Laguna Niguel, California, a citizen of the U.S.A. Post office address: 29412 Clipper Way, Laguna Niguel, California 92677.

Signature: S. Mirhashemi Date: 5/10/06  
Soheila Mirhashemi

James B. Gerg, of, Lake Forest, California, a citizen of the U.S.A. Post office address: 24725 Woodhill Lane, Lake Forest, California 92630.

Signature: James B. Gerg Date: May 10, 2006  
James B. Gerg

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Attorney Docket No. NEOME-019A1US

**STATEMENT OF OWNERSHIP (37 CFR 3.73(b))  
and POWER OF ATTORNEY BY ASSIGNEE**Inventor(s): Michael Mittelstein, John T. Sorensen, Soheila Mirhashemi,James B. GergApplication Serial No: 10/560,266

Filing Date: \_\_\_\_\_

Entitled: Devices and Methods Useable for Treatment of Glaucoma and Other  
Surgical ProceduresNeoMedix Corporation, a California corporation,(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)  
is the assignee of the entire right, title and interest in the patent identified above by  
virtue of:

- ☒ An assignment from the inventor(s)/owner(s) of the patent application as  
identified above.
- ☒ Copies of assignment(s) or other document(s) in the chain of title are attached.

The authority and rights of the inventor(s) with respect to this patent are hereby  
excluded in accordance with the provisions of 37 CFR 1.32.All power(s) of attorney relating to this patent are hereby revoked, and the following  
attorneys are hereby appointed to receive all correspondence from the United States  
Patent and Trademark Office and to transact all business in the United States Patent  
and Trademark Office connected therewith: DONALD E. STOUT, Reg. No. 34,493;  
FRANK J. UXA, Reg. No. 25,612; ROBERT D. BUYAN, Reg. No. 32,460; KENTON R.  
MULLINS, Reg. No. 36,331; and LINDA ALLYSON FOX, Reg. No. 38,883, all of  
STOUT, UXA, BUYAN & MULLINS, LLP, 4 Venture, Suite 300, Irvine, CA 92618.I further declare that all statements made herein of my own knowledge are true and that  
all statements made on information and belief are believed to be true; and further that  
these statements were made with the knowledge that willful false statements and the like  
are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the  
United States Code and that such willful false statements may jeopardize the validity of  
this application and any patent issuing thereon.

The undersigned is empowered to sign this certificate on behalf of the assignee.

Signature

5/10/2006

Date

Name:

Soheila Mirhashemi

Title:

PRESIDENT

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Attorney Docket No. NEOME-019A1US

**ASSIGNMENT**

Name(s) of Inventor(s): Michael Mittelstein, John T. Sorensen, Soheila Mirhashemi and James B. Gerg

Name of Assignee: NeoMedix Corporation

State of Incorporation of Assignee: California

Address of Assignee: 15042 Parkway Loop, Suite A, Tustin, California 92780

Title of Application: Devices and Methods Useable for Treatment of Glaucoma and Other Surgical Procedures

Application No.: 10/560,266 (PCT/US04/18483) Filing Date: (To Be Inserted)

1. The receipt and sufficiency of which are hereby acknowledged, the undersigned agree(s) to sell, assign and transfer and does (do) hereby sell, assign and transfer to the above-named Assignee, its successors and assigns, the entire and exclusive right, title and interest in and to the inventions claimed and described in the above-identified patent application in the United States and throughout the world, and in and to any applications for patent and patents which may be granted and issued thereon in any and all countries, and in and to any continuations, divisions, reissues and extensions of said application(s) and patent(s) and all international priority rights associated therewith. The undersigned agree(s) to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2. The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3. The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

4. The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

5. The undersigned hereby represent(s) and warrant(s) that no other assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

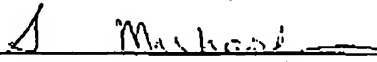
6. The undersigned hereby authorize and request the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing applications thereof to the Assignee, as Assignee of the entire interest, and hereby covenant that they have full right to convey the entire interest herein assigned, and that they have not executed any agreement in conflict herewith.

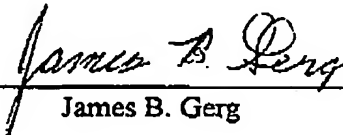
Attorney Docket No. NEOME-019A1US

7. The undersigned hereby grant Frank J. Uxa, Reg. No. 25,612; Donald E. Stout, Reg. No. 34,493; Robert D. Buyan, Reg. No. 32,460; Kenton R. Mullins, Reg. No. 36,331 and Linda Allyson Fox, Reg. No. 38,883, all of the firm of STOUT, UXA, BUYAN & MULLINS, LLP, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Signature of Inventor:  Date: 05/10/06  
Michael Mittelstein

Signature of Inventor:  Date: MAY 8, 2006  
John T. Sorensen

Signature of Inventor:  Date: May 10, 2006  
Soheila Mirhashemi

Signature of Inventor:  Date: May 10, 2006  
James B. Gerg

Attorney Docket No. NEOME-019A1US

## ALL-PURPOSE NOTARIAL ACKNOWLEDGMENT

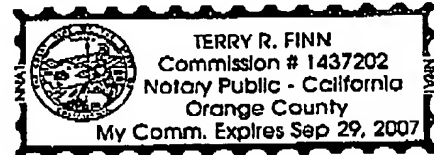
State of CALIFORNIACounty of ORANGEOn MAY 8, 2006 before me, TERRY R. FINN, Notary Public  
(Date) (Name, Title of Officer)personally appeared JOHN T. SAREWSEN☐ personally known to me

- OR -

☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Terry R. Finn (Seal)

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

## CAPACITY CLAIMED BY SIGNER:

☒ INDIVIDUAL☐ CORPORATE OFFICER

(TITLE)

☐ PARTNERSHIP☐ LIMITED ☐ GENERAL☐ ATTORNEY-IN-FACT☐ TRUSTEE☐ GUARDIAN/CONSERVATOR☐ OTHER:

## DESCRIPTION OF ATTACHED DOCUMENT

Assignment

TITLE OR TYPE OF DOCUMENT

Invention/Patent Assignment

NUMBER OF PAGES: 2DATE OF DOCUMENT: MAY 8, 2006

SIGNER (OTHER THAN NAMED ABOVE):

SIGNER IS REPRESENTING: \_\_\_\_\_

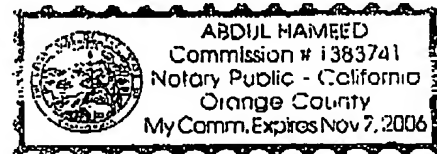
Attorney Docket No. NEOME-019A1US

## ALL-PURPOSE NOTARIAL ACKNOWLEDGMENT

State of CaliforniaCounty of OrangeOn MAY 10, 2006 before me, ABDUL HAMEED, Notary Public  
(Date) (Name, Title of Officer)personally appeared JAMES B. GERG☐ personally known to me  
- OR -☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature] (Seal)

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

## CAPACITY CLAIMED BY SIGNER:

☒ INDIVIDUAL  
☐ CORPORATE OFFICER

(TITLE)

☐ PARTNERSHIP  
☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER:

## DESCRIPTION OF ATTACHED DOCUMENT

Assignment  
 TITLE OR TYPE OF DOCUMENT  
 Invention/Patent Assignment

NUMBER OF PAGES: 2DATE OF DOCUMENT: May 10, 2006

SIGNER (OTHER THAN NAMED ABOVE):

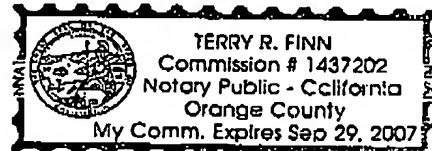
SIGNER IS REPRESENTING: \_\_\_\_\_

Attorney Docket No. NEOME-019A1US

**ALL-PURPOSE NOTARIAL ACKNOWLEDGMENT**State of CALIFORNIACounty of ORANGEOn MAY 10 2006 before me, TERRY R. FINN, NOTARY PUBLIC  
(Date) (Name, Title of Officer)personally appeared MICHAEL MITTELSTEIN☐ personally known to me  
- OR -☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Terry R. Finn (Seal)

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☐ CORPORATE OFFICER

(TITLE)

- ☐ PARTNERSHIP  
☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER:

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SIGNER (OTHER THAN NAMED ABOVE):

SIGNER IS REPRESENTING:

-5-

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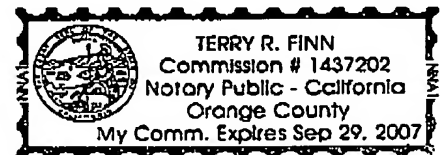
Attorney Docket No. NEOME-019A1US

## ALL-PURPOSE NOTARIAL ACKNOWLEDGMENT

State of CALIFORNIACounty of ORANGEOn MAY 12, 2006 before me, TERRY R. FINN, Notary Public  
(Date) (Name, Title of Officer)personally appeared SOHEILA MIRHASHEMI☐ personally known to me  
- OR -☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity(ies), and that by ~~his~~ ~~her~~ ~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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